

**ASSEMBLY BILL**

**No. 2477**

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**Introduced by Assembly Member Jones**

February 19, 2010

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An act to repeal and amend Section 14005.25 of the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 2477, as introduced, Jones. Medi-Cal: continuous eligibility.

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is partially governed and funded under federal Medicaid provisions.

Existing law, until July 1, 2012, requires the department, subject to the availability of federal financial participation, to exercise a federal option to expand continuous eligibility to children 19 years of age and younger for 6 months, after which date the continuous eligibility period shall be from the date of a determination of eligibility to the earlier of either the end of a 12-month period following the eligibility determination or the date the child exceeds 19 years of age.

Existing law provides that the provisions limiting continuous eligibility to 6 months shall be inoperative from March 27, 2009, until the date the Director of Health Care Services executes a declaration specifying that increased federal financial participation is no longer available pursuant to the federal American Recovery and Reinvestment Act of 2009 (ARRA). Existing law provides that during period in which the provisions limiting continuous eligibility to 6 months are inoperative, the continuous eligibility period shall be from the date of a determination

of eligibility to the earlier of either the end of a 12-month period following the eligibility determination or the date the child exceeds 19 years of age.

This bill would delete the above-described provisions in effect until July 1, 2012. This bill would delete the delayed operative date of July 1, 2012, for the above-described provisions that provide that the continuous eligibility period shall be from the date of a determination of eligibility to the earlier of either the end of a 12-month period following the eligibility determination or the date the child exceeds 19 years of age, thereby making those provisions operative on and after January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 14005.25 of the Welfare and Institutions  
2     Code, as amended by Section 1 of Chapter 24 of the 3rd  
3     Extraordinary Session of the Statutes of 2009, is repealed.  
4     ~~14005.25.—(a) To the extent federal financial participation is~~  
5     ~~available, the department shall exercise the option under Section~~  
6     ~~1902(e)(12) of the federal Social Security Act (42 U.S.C. See.~~  
7     ~~1396a(e)(12)) to extend continuous eligibility to children 19 years~~  
8     ~~of age and younger. A child shall remain eligible pursuant to this~~  
9     ~~subdivision from the date of a determination of eligibility for~~  
10    ~~Medi-Cal benefits until the earlier of either:~~  
11    ~~(1) The end of a 12-month period following the eligibility~~  
12    ~~determination.~~  
13    ~~(2) The date the individual exceeds the age of 19 years.~~  
14    ~~(b) This section shall be implemented only if, and to the extent~~  
15    ~~that, federal financial participation is available.~~  
16    ~~(c) Notwithstanding Chapter 3.5 (commencing with Section~~  
17    ~~11340) of Part 1 of Division 3 of Title 2 of the Government Code,~~  
18    ~~the department shall, without taking regulatory action, implement~~  
19    ~~this section by means of all county letters or similar instructions.~~  
20    ~~Thereafter, the department shall adopt regulations in accordance~~  
21    ~~with the requirements of Chapter 3.5 (commencing with Section~~  
22    ~~11340) of Part 1 of Division 3 of Title 2 of the Government Code.~~  
23    ~~(d) In order to implement changes in the level of funding for~~  
24    ~~health care services, commencing on the first day of the month~~

1 following 90 days after the operative date of amendments to this  
2 section that added this subdivision, the continuous eligibility time  
3 period provided in paragraph (1) of subdivision (a) shall be reduced  
4 to six months.

5 (e) ~~(1) Subdivision (d) shall be inoperative from the date the~~  
6 ~~act adding this subdivision becomes effective until the date the~~  
7 ~~Director of Health Care Services executes a declaration specifying~~  
8 ~~that increased federal financial participation is no longer available~~  
9 ~~pursuant to the federal American Recovery and Reinvestment Act~~  
10 ~~of 2009 (Public Law 111-5).~~

11 (2) ~~The department shall redetermine the continuous eligibility~~  
12 ~~period of any child whose continuous eligibility period was~~  
13 ~~determined or redetermined pursuant to subdivision (d) during the~~  
14 ~~first calendar year quarter of 2009 and shall grant to that child the~~  
15 ~~period of continuous eligibility provided for in subdivision (a);~~  
16 ~~retroactive to the date that the determination or redetermination~~  
17 ~~under subdivision (d) was made.~~

18 (f) ~~This section shall become inoperative on July 1, 2012, and~~  
19 ~~as of January 1, 2013, is repealed, unless a later enacted statute,~~  
20 ~~that is enacted before January 1, 2013, deletes or extends that date.~~

21 SEC. 2. Section 14005.25 of the Welfare and Institutions Code,  
22 as amended by Section 2 of Chapter 24 of the 3rd Extraordinary  
23 Session of the Statutes of 2009, is amended to read:

24 14005.25. (a) To the extent federal financial participation is  
25 available, the department shall exercise the option under Section  
26 1902(e)(12) of the federal Social Security Act (42 U.S.C. Sec.  
27 1396a(e)(12)) to extend continuous eligibility to children 19 years  
28 of age and younger. A child shall remain eligible pursuant to this  
29 subdivision from the date of a determination of eligibility for  
30 Medi-Cal benefits until the earlier of either:

31 (1) The end of a 12-month period following the eligibility  
32 determination.

33 (2) The date the individual exceeds the age of 19 years.

34 (b) This section shall be implemented only if, and to the extent  
35 that, federal financial participation is available.

36 (c) Notwithstanding Chapter 3.5 (commencing with Section  
37 11340) of Part 1 of Division 3 of Title 2 of the Government Code,  
38 the department shall, without taking regulatory action, implement  
39 this section by means of all county letters or similar instructions.  
40 Thereafter, the department shall adopt regulations in accordance

- 1 with the requirements of Chapter 3.5 (commencing with Section
- 2 11340) of Part 1 of Division 3 of Title 2 of the Government Code.
- 3 ~~(d) This section shall become operative on July 1, 2012.~~